

FILED

NOV 24 2010

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

EUGENE R. WEDOFF,
BANKRUPTCY JUDGE

In re:

GARRY HAZNEDL

Debtor.

Case No. 09 B 36633

Chapter 7

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF ORDER AWARDING TO
MAXWELL LAW GROUP, LLC, TRUSTEE'S COUNSEL, FOR ALLOWANCE AND PAYMENT OF
FINAL COMPENSATION AND REIMBURSEMENT OF EXPENSES**

TOTAL FEES REQUESTED:	\$6,142.50	TOTAL COSTS REQUESTED:	\$10.33
TOTAL FEES REDUCED:	\$1,247.37	TOTAL COSTS REDUCED:	\$00.00
TOTAL FEES ALLOWED:	\$4,895.13	TOTAL COSTS ALLOWED:	\$10.33

TOTAL FEES AND COSTS ALLOWED: \$4,905.46

The attached time and expense entries have been underlined to reflect disallowance in whole or in part. The basis for each disallowance is reflected by numerical notations that appear on the left of each underlined entry. The numerical notations correspond to the enumerated paragraphs below.

(2) Unreasonable Time

The Court denies the allowance in part of compensation for the following task since the professional or paraprofessional expended an unreasonable amount of time on this task in light of the nature of the task, the experience and knowledge of the professional performing the task, and the amount of time previously expended by the professional or another on the task. *In re Pettibone*, 74 B.R. 293, 306 (Bankr. N.D. Ill. 1987) ("The Court will determine what is the reasonable amount of time an attorney should have to spend on a given project... An attorney should not be rewarded for inefficiency. Similarly, attorneys will not be fully compensated for spending an unreasonable number of hours on activities of little benefit to the estate."); *In re Wildman*, 72 B.R. 700, 713 (Bankr. N.D. Ill. 1987) (same).

As to the time devoted to the preparation of the fee application itself, the Court denies the allowance of compensation that is disproportionate to the total hours in the main case. *In re Wildman*, 72 B.R. 700, 711 (Bankr. N.D. Ill. 1987) ("In the absence of unusual circumstances, the hours allowed by this Court for preparing and litigating the attorney fee application should not exceed three percent of the total hours in the main case."); *In re Spanjer Bros., Inc.*, 203 B.R. 85, 93 (Bankr. N.D. Ill. 1996) (compensation limited to 5%). See also *In re Pettibone Corp.*, 74 B.R. 293, 304 (Bankr. N.D. Ill. 1987) (citing *Coulter v. State of Tennessee*, 805 F.2d 146, 151 (6th Cir. 1986) (in non-bankruptcy cases, compensation for preparation and litigation of fee petitions limited to 3-5% of the hours of the main case)).

(4) Insufficient Description

The Court denies the allowance of compensation for the following task since the description of the time entry fails to identify in a reasonable manner the service rendered. *In re Pettibone*, 74 B.R. 293, 301 (Bankr. N.D. Ill. 1987) ("A proper fee application must list each activity, its date, the attorney who performed the work, a description of the nature and substance of the work performed, and the time spent on the work. [Citation omitted]

Records which give no explanation of the activities performed are not compensable."); *In re Wildman*, 72 B.R. 700, 708-9 (Bankr. N.D. Ill. 1987) (same).

Dated: November 24, 2010


Eugene R. Wedoff
United States Bankruptcy Judge

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Maxwell Law Group, LLC
Time Detail

Page 1

Selection Criteria

Clie.Selection Include: Hazndel,Gary; Hazndel TR

Nickname Hazndel,Gary | 09-101-046
 Full Name Gary Hazndel 09-36633
 Address
 Phone 1 Phone 2
 Phone 3 Phone 4
 In Ref To
 Last bill
 Last charge 2/5/2011
 Last payment Amount \$0.00

Date ID	Attorney Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
Nickname 2: 01					
12/15/2009	VIK-08 154553 draft trustee's motion to employ attorneys Reference: EMPLOYMENT & PAYMENT OF PROFESSIONALS	270.00	0.80	216.00	Billable
12/15/2009	VIK-08 154554 exchange email with AJM re trustee's motion to employ attorneys Reference: EMPLOYMENT & PAYMENT OF PROFESSIONALS	270.00	0.20	54.00	Billable
8/4/2010	LAK10 162239 review and revise time details for final fee application Reference: EMPLOYMENT & PAYMENT OF PROFESSIONALS	160.00	0.80	128.00	Billable
9/22/2010	LAK10 162881 review & revise time details in preparation for final fee application and prepare draft of final fee application Reference: EMPLOYMENT & PAYMENT OF PROFESSIONALS	160.00	2.20	352.00	Billable
9/30/2010	AJM10 163305 revise final fee application and time detail for same Reference: EMPLOYMENT & PAYMENT OF PROFESSIONALS	440.00	0.80	352.00	Billable
10/1/2010	LAK10 163291 revise final fee application and time details; prepare for AJM review Reference: EMPLOYMENT & PAYMENT OF PROFESSIONALS	160.00	2.50	400.00	Billable

fee app

fee app

fee app

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Maxwell Law Group, LLC

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Time Detail

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Hazndel, Gary: Gary Hazndel 09-36633 (continued)

Date ID	Attorney Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
12/5/2010 163298	AJM10 appear in court for administrative fee hearing (est) Reference: EMPLOYMENT & PAYMENT OF PROFESSIONALS	440.00	0.80	352.00	Billable

Total: 01

(2)

5% of total billed fees =

8.10

\$1,854.00

total amount billed for fee app: \$1,232 \$307.13 Deducting \$1,232 - 307.13 = \$924.87

Nickname 2: 03

12/8/2009 156496	AJM08 review insurance documents from debtor's attorney (by fax); review schedules re same (.4); conf. w/ VRB re exemption, research exemption(.3) Reference: LIQUIDATE PERSONAL PROPERTY	425.00	0.70	297.50	Billable
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12/11/2009 154848	LAK-07 prepare draft application to extend deadline to object to exemptions; email to VRB for review and editing Reference: LIQUIDATE PERSONAL PROPERTY	150.00	0.40	60.00	Billable
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12/14/2009 154555	VIK-08 draft trustee's motion for extension of time to object to exemptions Reference: LIQUIDATE PERSONAL PROPERTY	270.00	1.00	270.00	Billable
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12/14/2009 156553	AJM08 revise motion to extend time to object to exemptions <e-mail re same> Reference: LIQUIDATE PERSONAL PROPERTY	425.00	0.40	170.00	Billable
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(4)

- \$212.50

12/14/2009 154557	VIK-08 exchange emails with AJM re extension of exemption deadline; investigation of life insurance policy Reference: LIQUIDATE PERSONAL PROPERTY	270.00	0.20	54.00	Billable
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12/14/2009 154556	VIK-08 review insurance information provided by debtor's counsel re continued investigation regarding life insurance policy Reference: LIQUIDATE PERSONAL PROPERTY	270.00	0.30	81.00	Billable
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12/18/2009 154617	VIK-08 tc w/ Debtor's counsel re motion to extend time; insurance policies Reference: LIQUIDATE PERSONAL PROPERTY	270.00	0.10	27.00	Billable
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Time Detail

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Hazndel, Gary: Gary Hazndel 09-36633 (continued)

Date ID	Attorney Task	Rate Markup %	Hours DNB Time	Amount DNB Amt	Total
2/12/2010 157006	AJM10 revise objection to exemption and for T.O. of insurance policies Reference: LIQUIDATE PERSONAL PROPERTY	440.00	0.50	220.00	Billable
				(A) - \$110.00	
2/12/2010 155518	VRB-SR-07 e-file trustee's objection to exemption and turnover of estate property Reference: LIQUIDATE PERSONAL PROPERTY	150.00	0.40	60.00	Billable
2/12/2010 155517	VIK-08 finalize trustee's objection for exemption and turnover of estate property Reference: LIQUIDATE PERSONAL PROPERTY	270.00	0.80	216.00	Billable
2/19/2010 155658	VIK-08 review debtor's schedules re exemptions claimed on insurance policies Reference: LIQUIDATE PERSONAL PROPERTY	270.00	0.30	81.00	Billable
2/19/2010 155657	VIK-08 tc w/ Debtor's counsel re insurance policies and turnover regarding same Reference: LIQUIDATE PERSONAL PROPERTY	270.00	0.10	27.00	Billable
2/19/2010 155656	VIK-08 t/c to Debtor's counsel re insurance policies Reference: LIQUIDATE PERSONAL PROPERTY	270.00	0.10	27.00	Billable
2/19/2010 155655	VIK-08 review vm from Debtor's counsel re insurance policies Reference: LIQUIDATE PERSONAL PROPERTY	270.00	0.10	27.00	Billable
2/22/2010 155674	VIK-08 tc w/ Debtor's counsel re Trustee's objection to claims Reference: LIQUIDATE PERSONAL PROPERTY	270.00	0.20	54.00	Billable
2/23/2010 155677	VIK-08 appear in court re trustee's objection to debtor's exemptions Reference: LIQUIDATE PERSONAL PROPERTY	270.00	0.50	135.00	Billable